

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

UNITED STATES OF AMERICA

VS.

Civil Action No. 5:01cv53WHBAGN

1.37 acres, et al.

CORRECTED FINAL JUDGMENT OF CONDEMNATION

It appearing to this Court that on the 3rd day of October, 2005, a Judgment Determining Title and Compensation was entered in this cause by the Honorable William H. Barbour, Jr., United States District Judge, adjudicating that title to Tract Nos. 102-03, 102-05, 102-09, 102-12, 102-15, 102-16, and 102-23 as described in the Complaint and Notice of Lis Pendens, would vest in the United States of America simultaneously upon payment by the United States into the Registry of the Court the sum of \$1,139,692.00, which amount was adjudicated to be full compensation for the fee simple title to said tract, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines.

That the Final Judgment of Compensation signed by the Court on October 3, 2005, contained an error which the government sought to correct by motion timely filed; that the error contained in the description of the estate condemned excepted all oil, gas, and other minerals from the fee taken. However, all of the pleadings and all of the testimony (including the appraisals) considered the fee as a whole, and did not except the minerals owned by the landowner-defendants.

That this Corrected Final Judgment of Condemnation is entered to correct the error in the description of the estate taken, specifically removing any exception for oil, gas, and other minerals.

And it further appearing that on the 3rd day of October, 2005, there was deposited by the

United States of America, plaintiff, with the clerk of the United States District Court for the Southern District of Mississippi, the sum of \$1,139,692.00 pursuant to said Judgment.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that on the 3rd day of October, 2005, the fee simple title to said Tract Nos. 102-03, 102-05, 102-09, 102-12, 102-15, 102-16, and 102-23 vested in the United States of America free and discharged of all claims and liens of every kind whatsoever, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines.

SO ORDERED, on this, the 18th day of May, 2007.

s/William H. Barbour, Jr.
UNITED STATES DISTRICT JUDGE

Submitted by:

s/ Alfred B. Jernigan, Jr.
Alfred B. Jernigan, Jr.
Attorney for the Government